



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

WP(MD)No.14133 of 2019

WEB COPY

S. Ramasundaramani

... Petitioner

Vs.

1.The Commissioner,
Municipal Administration,
Cehnnai - 28.

2.The Commissioner,
Kuzhithurai Municipality,
Kuzhithurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass final orders in the disciplinary proceedings in R.O.C.No.30367/2017/K2 initiated against the petitioner herein within a time limit fixed by this Court.

For Petitioner	: Mr. P.T.S. Narendravasan
For Respondents	: Mr.A. Muthukaruppan
	Additional Government Pleader

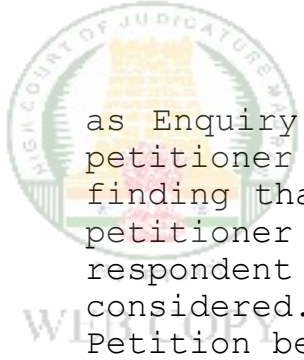
ORDER

This Writ Petition has been filed for issuing a direction to the 1st respondent to pass final orders in the disciplinary proceedings in R.O.C.No.30367/2017/K2 initiated against the petitioner within the stipulated time to be fixed by this Court.

2. Mr. A. Muthu Karuppan, learned Additional Government Pleader takes notice for the respondents.

3. By consent of parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, he was appointed as Noon Meal Organizer and later joined as Junior Assistant in Puliyanakundi Municipality and subsequently, he was ousted on 23.04.1984. Thereafter, on filing of Writ Petition, he was appointed as Junior Assistant in Thoothukudi Municipality and transferred to Virudhunagar Municipality on 09.01.2015 and served as Revenue Inspector. Again, he was transferred to Kadayanallur Municipality and at that stage, he was suspended on 06.10.2015 and the same was revoked on 19.06.2017 and he was transferred to Kuzhithurai Municipality. While the petitioner was serving at Kuzhithurai Municipality, once again he was suspended by proceeding, dated 16.04.2018. The first respondent appointed Commissioner, Nagercoil,



as Enquiry Officer for the purpose of charges levelled against the petitioner and he has submitted the Enquiry report and gave its finding that the charges 1 and 3 have been proved. Thereafter, the petitioner also submitted his further explanation to the first respondent on 26.12.2018, but, so far, the same has not been considered. Hence, the petitioner has filed the present Writ Petition before this Court.

5. The learned Additional Government Pleader appearing for the respondents would submit that enquiry is still pending and the same shall be concluded on merits and in accordance with law, as early as possible.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the explanation submitted by the petitioner to the enquiry report submitted by the Enquiry Officer, and pass final orders on merits and in accordance with law, as expeditiously as possible, in any event not later than four months from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Commissioner,
Municipal Administration,
Cehnnai - 28.

2.The Commissioner,
Kuzhithurai Municipality,
Kuzhithurai.

+1 CC to M/s.PT.S.NARENDRAVASAN, Advocate (SR-71040[F] dated 25/06/2019)

+1 CC to M/s.SPL GP (SR-71794[F] dated 27/06/2019

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TRP

KK/SAR/11.07.2019/2P-5C